



**Docket Number:** 1507-PUD-13 (Ordinance No. 15-19)

**Petitioner:** Langston Residential Development, LLC

**Request:** A text amendment to modify the side yard setback standards in the Andover Planned Unit Development (PUD) District.

**Current Zoning:** Andover PUD District (Ordinance 03-40)

**Current Land Use:** Residential / Agricultural

**Zoning History:** 0306-PUD-03 Andover PUD District (Ordinance 03-40) (12/08/03)  
0403-DP-13 Overall Development Plan ("Original DP")  
0403-SPP-03 Overall Primary Plat (03/22/04)  
1403-SPP-03 Lakes of Westfield Primary Plat (04/07/14)  
1403-DP-06 Lakes of Westfield Development Plan (04/07/14)

**Exhibits:** 1. Staff Report  
2. Location Map  
3. Concept Plan  
4. Amendment Ordinance

**Staff Reviewer:** Jesse M. Pohlman, Senior Planner

---

### **PETITION HISTORY**

This petition was introduced at the June 8, 2015, City Council meeting. The petition will receive a public hearing at the June 15, 2015, Advisory Plan Commission (the "APC") meeting.

---

### **PROJECT OVERVIEW**

**Project Location:** The Petitioner is requesting an amendment to the Andover Planned Unit Development (PUD) District Ordinance No. 03-40 (the "PUD Ordinance") for the 137.6-acres located on the south side of the future 186th Street between Grassy Branch Road and Shady Nook Road (see **Exhibit 2**).

**Property History:** The Property was zoned the Andover PUD District in December 2003, and encompasses "Parcels" A, B, C, D, H, I and J of the PUD Ordinance (collectively, the "PUD Parcels"), as identified on the PUD Ordinance's Concept Plan. The original PUD Ordinance was approved to allow the PUD Parcels to be developed for detached single-family residential with minimum lot widths of 65' (60 lots), 80' (50 lots), 90' (50 lots) and 100' (40 lots).

In March 2004, the Property received approval of a primary plat and development plan for 200 single family lots (1.58 du/acre). The 200 single family lots were platted with a mix of lot sizes ranging from 65'-wide to 100'-wide lots.

In April 2014, the Plan Commission approved a new primary plat and development plan for the property with a lower overall density of 199 single-family family lots (1.48 du/acre) and larger lots of 90'-wide (125 lots) and 100'-wide (74 lots) than were proposed in 2004 (see **Exhibit 3**).

This property is being subdivided as the "Lakes of Grassy Branch" and the "Lakes of Shady Nook" (collectively, the "Lakes of Westfield").

---

### **AMENDMENT REQUEST**

The Petitioner is requesting an amendment (see **Exhibit 4**) to the side yard setback standards for detached single-family dwellings with side load garages in the Lakes of Westfield.

Existing Standard: The PUD Ordinance currently requires a minimum side yard setback of eight (8) feet<sup>1</sup>.

Proposed Standard: The amendment only applies to homes with a side load garage and provides for a minimum side yard setback of five (5) feet, with an aggregate side yard setback of sixteen (16) feet for the lot.

In November 2014, the Council approved a similar amendment to the Unified Development Ordinance<sup>2</sup> (the "UDO") that allowed for homes with a side load garage to have a minimum side yard setback of five (5) feet to encourage and better accommodate side load garages; however, the Andover PUD Ordinance "locks-in" the zoning ordinance standards as they were in effect at the time the Andover PUD Ordinance was enacted (2003). As a result, without an amendment to the Andover PUD Ordinance, the UDO standard cannot be applied to this development.

---

### **PROCEDURAL**

Public Hearing: Amendments to a Planned Unit Development (PUD) District are required to be considered at a public hearing by the APC. The public hearing for this petition is scheduled for the June 15, 2015, APC meeting. Notice of the public hearing was provided in accordance with Indiana law and the APC's Rules of Procedure.

---

<sup>1</sup> *Exhibit 7: Development Standards Matrix* of the PUD Ordinance.

<sup>2</sup> Article 6.16(H) of the UDO reads "Side-Load Garages: The Minimum Building Setback Line for a Side Yard in a Major Subdivision in a Single-family District may be reduced to five (5) feet for Dwellings with a side or courtyard loading garage; however, the Lot's aggregate Building Setback Lines for the combined Side Yards shall be a minimum of the District's Minimum Building Setback Line for a Side Yard multiplied by two (2)."

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

---

**DEPARTMENT COMMENTS**

1. Hold a public hearing at the June 15, 2015, APC meeting.
2. **Recommendation:**

**Subject to comments as a result of the public hearing, the Department recommends forwarding this petition to the Council with a favorable recommendation if the Plan Commission is satisfied with the proposed amendment ordinance.**

3. If any Plan Commission member has questions prior to the public hearing, then please contact Jesse Pohlman at 317.402.4380 or [jpohlman@westfield.in.gov](mailto:jpohlman@westfield.in.gov).